

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

GLOBAL EQUITY MANAGEMENT (SA)	§	
PTY. LTD.,	§	
	§	Case No. 2:16-CV-00095-RWS-RSP
<i>Plaintiff,</i>	§	
	§	
v.	§	
	§	
EXPEDIA, INC., et al.,	§	
	§	
<i>Defendants.</i>	§	

REPORT AND RECOMMENDATION

Currently before the Court is Plaintiff Global Equity Management’s Third Motion for Enlargement of Time to Serve Defendant Trivago GmbH (Dkt. 221). Through two previous extensions of time, the Court allowed the Plaintiff up to December 1, 2016 to file with the Court evidence of service on Defendant Trivago GmbH. Dkt. 188. The Court informed Plaintiff that if evidence of service was not filed by December 1, the Complaint against Trivago GmbH would be dismissed without prejudice under Fed. R. Civ. P. 4(m). The Complaint against Trivago GmbH was filed on January 29, 2016, and Trivago GmbH should have been served on April 21, 2016—over seven months ago. *See* Dkt. 31. Plaintiff has not established good cause for such an extraordinary delay in service. Accordingly, it is **RECOMMENDED** the Complaint against Trivago GmbH be **DISMISSED** without prejudice.

A party’s failure to file written objections to the findings, conclusions, and recommendations contained in this report within fourteen days after being served with a copy shall bar that party from de novo review by the district judge of those findings, conclusions, and recommendations and, except on grounds of plain error, from appellate review of unobjected-to

factual findings, and legal conclusions accepted and adopted by the district court. Fed. R. Civ. P. 72(b)(2); *see Douglass v. United Servs. Auto. Ass'n.*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc).

SIGNED this 2nd day of December, 2016.


ROY S. PAYNE
UNITED STATES MAGISTRATE JUDGE